


INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference J05-234 PCT	FOR FURTHER ACTION		See Form PCT/IPEA/416
International application No. PCT/EP2004/003871	International filing date (day/month/year) 13.04.2004	Priority date (day/month/year) 09.04.2003	
International Patent Classification (IPC) or national classification and IPC A61F13/20, A61F13/34			
Applicant JOHNSON & JOHNSON GMBH			
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 5 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input checked="" type="checkbox"/> sent to the applicant and to the International Bureau) a total of 2 sheets, as follows:</p> <p style="margin-left: 40px;"><input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p style="margin-left: 40px;"><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>			
<p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the opinion</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>			
Date of submission of the demand 09.02.2005		Date of completion of this report 29.09.2005	
Name and mailing address of the international preliminary examining authority:  European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016		Authorized Officer Mirza, A Telephone No. +31 70 340-4096	



**INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY**

International application No.
PCT/EP2004/003871

Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language , which is the language of a translation furnished for the purposes of:
- ☐ international search (under Rules 12.3 and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4)
 - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)
2. With regard to the **elements*** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

Description, Pages

1-9 as originally filed

Claims, Numbers

1-8 received on 09.02.2005 with letter of 09.02.2005

Drawings, Sheets

1/2, 2/2 as originally filed

- ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing
3. ☒ The amendments have resulted in the cancellation of:
- ☐ the description, pages
 - ☒ the claims, Nos. 9-12
 - ☐ the drawings, sheets/figs
 - ☐ the sequence listing *(specify)*:
 - ☐ any table(s) related to sequence listing *(specify)*:
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages
 - ☐ the claims, Nos.
 - ☐ the drawings, sheets/figs
 - ☐ the sequence listing *(specify)*:
 - ☐ any table(s) related to sequence listing *(specify)*:

* If item 4 applies, some or all of these sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY

International application No.
PCT/EP2004/003871

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-8
	No: Claims	
Inventive step (IS)	Yes: Claims	1-8
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-8
	No: Claims	

2. Citations and explanations (Rule 70.7):

see separate sheet

Re Item V

**Reasoned statement with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement**

1. State of the art

Reference is made to the following document:

D1: US-A-4 328 804 (SHIMATANI KAZUO) 11 May 1982 (1982-05-11)

2. Novelty

The document D1 is regarded as being the closest prior art to the subject-matter of claim 1 and shows (the references in parentheses applying to this document):

a tampon with a withdrawal string attached to the tampon body, the string is in the form of a closed loop with a ring type adjuster for adjusting the length of the string (cf. D1, col. 2, l. 64 - col. 3, l. 1, fig. 1, 2,3).

The subject-matter of claim 1 differs from this known tampon withdrawal string in that it is adjustable, but at the same time allows the user to extend conveniently and easily the string to maximum position.

The subject-matter of claim 1 is therefore new (Article 33(2) PCT).

The problem to be solved by the present invention may be regarded as how to extend the string to maximum position conveniently and easily.

The solution to this problem proposed in claim 1 of the present application is considered as involving an inventive step (Article 33(3) PCT) for the following reasons:

In the prior art no clue is given with regard to the problem nor the solution to the problem.

With the same reasoning the independent claim 5 describing a second embodiment is new

**INTERNATIONAL PRELIMINARY
REPORT ON PATENTABILITY
(SEPARATE SHEET)**

International application No.

PCT/EP2004/003871

and inventive. The subject-matter of claim 5 differs from the subject-matter of claim 1 only in that instead a loop a fold is used to shorten the withdrawal string.

Claims 2-7 are dependent on claim 1 or disclose a method to produce tampon according to claim 1-4 or 5 and as such also meet the requirements of the PCT with respect to novelty and inventive step.

PCT/EP2004/003871
J05-234 PCT

Amended Patent Claims:

1. Tampon, in particular for feminine hygiene, comprising a tampon body (10) and a withdrawal tape (12) which is fastened on the tampon body (10) and is configured such that its effective length can be changed before or during use, wherein the withdrawal tape (12; 32) is formed with at least one loop (18) which reduces the effective length of the withdrawal tape (12) and can be released in order to increase the effective length of the withdrawal tape (12),

characterized in that the withdrawal tape (12) has a first end connected to the tampon body (10) and a second end knotted to form a knot (20), a loop (18) and a free end (15) extending from the knot (20), where the loop (18) can be released by virtue of the free end (15) being pulled.
2. Tampon according to claim 1, characterized in that the loop (18) is formed such that it does not release by virtue of the loop (18) being pulled.
3. Tampon according to claim 1 or 2, characterized in that the loop (18) is formed in the manner of a half-loop.
4. Tampon according to claim 1 or 2 characterized in that the loop (18) is formed in the manner of a Windsor knot.
5. Tampon, in particular for feminine hygiene, comprising a tampon body (10) and a withdrawal tape (32) which is fastened on the tampon body (10) and is configured such that its effective length can be changed before or during use, wherein the withdrawal tape (32) is formed with at least one fold (36) which reduces the effective length of the withdrawal tape (32) and can be released in order to increase the effective length of the withdrawal tape (32), where the withdrawal tape (32) is arranged partly within the tampon body (30) and is positioned in the at least one fold (36) therein, characterized in that a portion of the withdrawal tape is retained in the form of the at least one fold (36) between adjacent parts of the tampon band (30) by virtue of

the latter being rolled and pressed, where said at least one fold (36) of the withdrawal tape (32) within the tampon body (30) can be released by virtue of the free end of the withdrawal tape (32) being pulled, in order to increase the effective length of the withdrawal tape (32) outside the tampon.

6. Method of producing a tampon according to one of claims 1 to 4, characterized in that the withdrawal tape (12) is positioned around a fabric tampon band such that it extends transversely to the fabric tampon band, and laterally beyond the latter, in that the fabric tampon band is rolled and pressed in order to form the tampon body (10) with the withdrawal tape (12) fastened therein, and in that the withdrawal tape (21) is knotted outside the tampon body (10) to form a knot (20), a loop (18) and a free end (15) extending from the knot (20), where the loop (18) can be released by virtue of the free end (15) being pulled.
7. Method of producing a tampon according to claim 5, characterized in that a withdrawal tape (32) is positioned around a fabric tampon band (30) such that it extends transversely to the fabric tampon band (30), and laterally beyond the latter, that part of the withdrawal tape (32) which extends laterally beyond the fabric tampon band (30) is folded back partly onto the fabric tampon band (30), and the fabric tampon band is rolled and pressed in order to form the tampon body with the withdrawal tape (32) fastened therein and to retain the folded-back part of the withdrawal tape (32) in the tampon.
8. Method according to claim 7, characterized in that the withdrawal tape (32) is folded back onto the fabric tampon band (30) parallel to, obliquely in relation to or perpendicularly to the transverse direction of the fabric tampon band.